

House File 339 - Introduced

HOUSE FILE 339

BY ISENHART

A BILL FOR

1 An Act relating to campaign finance and making penalties
2 applicable.

3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

1 Section 1. Section 68A.102, Code 2011, is amended by adding
2 the following new subsection:

3 NEW SUBSECTION. 014. "*Election cycle*" includes the first
4 of January in an odd-numbered year to the thirty-first day of
5 December in the following even-numbered year.

6 Sec. 2. Section 68A.401, Code 2011, is amended by adding the
7 following new subsections:

8 NEW SUBSECTION. 5. Any person who is or has been registered
9 with any state or federal government body as a lobbyist or
10 government liaison at any time over the current or previous
11 election cycle, shall be required to file a report of all
12 contributions to Iowa candidate and political committees if
13 the sum of such contributions is seven hundred fifty dollars
14 or more during an election cycle. In addition to other
15 requirements of this section, the report shall identify the
16 individuals or groups that the lobbyist represents.

17 NEW SUBSECTION. 6. Any person engaged to raise funds for
18 a candidate or campaign regulated under Iowa law shall be
19 required to file a report of all contributions received by or
20 on behalf of one or more candidates or campaigns if the sum
21 of such contributions is seven hundred fifty dollars or more
22 in an election cycle. The report shall identify the person
23 making the solicitation, the persons or groups making the
24 contributions, and the candidate or committee receiving the
25 contributions. Cities, counties, school boards, and other
26 public jurisdictions may apply similar reporting requirements
27 for city, county, school board, and other elections, in
28 coordination with the board.

29 NEW SUBSECTION. 7. If a person is or has been party to a
30 contract with the state government or any of its jurisdictions,
31 and that person has or will directly or indirectly receive
32 ten thousand dollars or more of public funds in consideration
33 according to that contract, such person shall report all
34 contributions made to candidates or campaigns regulated under
35 this chapter if the sum of such contributions is seven hundred

1 fifty dollars or more during an election cycle occurring five
2 years before or after the contract was entered into. Cities,
3 counties, school boards, and other public jurisdictions may
4 apply similar reporting requirements for city, county, school
5 board and other public elections, in coordination with the
6 board.

7 Sec. 3. Section 68A.402A, subsection 1, paragraph h, Code
8 2011, is amended to read as follows:

9 *h.* The amount and nature of debts and obligations owed by
10 the committee in excess of the applicable amounts specified in
11 the schedule in paragraph "b". Loans made to a committee and
12 reported under paragraph "e" shall not be considered a debt or
13 obligation under this paragraph. A loan made by a committee
14 to any person shall be considered a disbursement. Debts and
15 obligations, whether incurred orally or in writing, shall be
16 listed by the date that the debt or obligation is incurred.

17 Sec. 4. Section 68A.402A, subsection 1, Code 2011, is
18 amended by adding the following new paragraph:

19 NEW PARAGRAPH. *Ok.* A candidate or committee receiving
20 contributions shall report the occupation and employer of any
21 contributor making contributions of two hundred fifty dollars
22 or more in an election cycle.

23 Sec. 5. Section 68A.402A, Code 2011, is amended by adding
24 the following new subsection:

25 NEW SUBSECTION. 3. The board shall cooperate with local
26 jurisdictions establishing reporting requirements. The board
27 may assess reasonable fees to such jurisdictions for disclosure
28 and reporting services.

29 Sec. 6. Section 68A.404, Code 2011, is amended by adding the
30 following new subsections:

31 NEW SUBSECTION. 1A. The maximum amount an individual can
32 contribute to a person that has made or intends to make an
33 independent expenditure is seven hundred fifty dollars. The
34 maximum amount a corporation can contribute to a person that
35 has made or intends to make an independent expenditure is one

1 thousand five hundred dollars.

2 NEW SUBSECTION. 1B. A person that is not registered and
3 filing full disclosure reports, and who has made one or more
4 independent expenditures totaling seven hundred fifty dollars
5 or more in an election cycle, shall be required to register
6 with the board and, in addition to any other requirements
7 already imposed, file regular reports with the board on the
8 same basis as, and reporting the same information as, other
9 political committees required to register. Such entities shall
10 register within ten days of making or exceeding the expenditure
11 threshold in this subsection.

12 NEW SUBSECTION. 1C. If a candidate or candidate's committee
13 either directly or indirectly supplies information to a person
14 who has made or subsequently makes an independent expenditure
15 in favor of such candidate, or against such candidate's
16 opponent, or otherwise to the benefit of the candidate, then
17 the candidate or candidate's committee shall provide that
18 information to the board. If the information was provided
19 orally, then a recording of the oral delivery of information
20 shall be supplied. The board shall report the information in
21 connection with both the candidate and the person making the
22 expenditure.

23 NEW SUBSECTION. 7A. A person making an independent
24 expenditure for or against a candidate or campaign following
25 the last quarterly reporting deadline before an election shall
26 simultaneously and directly report such independent expenditure
27 to the candidate or campaigns supported or opposed, if such
28 expenditure is required to be reported to the board.

29 Sec. 7. Section 68A.405, Code 2011, is amended by adding the
30 following new subsection:

31 NEW SUBSECTION. 3A. An attribution statement shall, in
32 addition to other requirements, contain the name of the person
33 who is the largest monetary contributor during the election
34 cycle to the candidate or person paying for the communication.

35

EXPLANATION

1 This bill defines an election cycle to include the first day
2 of January in an odd-numbered year to the 31st day of December
3 in the following even-numbered year.

4 The bill requires lobbyists to report all contributions to
5 Iowa candidate and political committees if the sum of such
6 contributions is \$750 and to identify the individuals or groups
7 that the lobbyist represents.

8 The bill requires campaign fund-raisers to file a report
9 of all contributions received by or on behalf of one or more
10 candidates or campaigns if the sum of such contributions is
11 \$750 or more in an election cycle. The report shall identify
12 the person making the solicitation, the persons or groups
13 making the contributions, and the candidate or committee
14 receiving the contributions.

15 The bill requires a person who contracts with the state and
16 has or will, directly or indirectly, receive \$10,000 or more
17 of public funds in consideration according to that contract,
18 to report all contributions made to candidates or campaigns
19 regulated under Iowa law if the sum of such contributions is
20 \$750 or more.

21 The bill requires that campaign debts and obligations be
22 listed on the report by the date that the debt or obligation is
23 incurred.

24 The bill requires that a person or committee receiving
25 contributions shall report the occupation and employer of any
26 contributor making contributions of \$250 or more in an election
27 cycle.

28 The bill requires the board to cooperate with local
29 jurisdictions establishing reporting requirements.

30 The bill provides that the maximum amount an individual
31 can contribute to a person who has made or intends to make
32 an independent expenditure is \$750, and the maximum amount a
33 corporation can make to a person who has made or intends to
34 make an independent expenditure is \$1,500.

35 The bill requires any person that is not registered and

1 filing full disclosure reports, and who has made one or more
2 independent expenditures totaling \$750 or more, to register
3 with the board and file regular reports on the same basis
4 as, and reporting the same information as, other political
5 committees required to register and file.

6 The bill provides that if a candidate or candidate's
7 committee either directly or indirectly supplies information
8 to a person who has made or subsequently makes an independent
9 expenditure in favor of such candidate, the candidate or
10 candidate's committee shall provide that information to the
11 ethics and campaign disclosure board.

12 The bill requires that a person making an independent
13 expenditure for or against a candidate or campaign following
14 the last quarterly reporting deadline before an election shall
15 simultaneously and directly report such independent expenditure
16 to the candidate or campaigns supported or opposed.

17 The bill requires that a disclaimer shall contain the name
18 of the person who is the largest monetary contributor during
19 the election cycle to the candidate or person paying for the
20 communication.

21 As provided in Code section 68A.701, a willful violation of
22 any provision of the campaign finance law, Code chapter 68A,
23 is a serious misdemeanor punishable by confinement for up to
24 one year and a fine of at least \$315 but not more than \$1,875.
25 A variety of civil remedies are also available in Code section
26 68B.32D for a violation of Code chapter 68A or rules of the
27 ethics and campaign disclosure board, ranging from a reprimand
28 to a civil penalty of not more than \$2,000.